

076163 - Upper Newport Bay Harbor, CA

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EXECUTIVE SUMMARY:

Continuing its commitment to the environment, the L.A. District of the Army Corps of Engineers has embarked on yet another ecosystem restoration project. Physical construction on the Upper Newport Bay Harbor Ecosystem Restoration Project, some 40 miles south of downtown Los Angeles in Orange County, started in April 2006. The Upper Newport Bay Ecological Reserve is one of the last remaining wetlands in Southern California that continues to play an important role in providing critical habitat for a variety of migratory waterfowl, shorebirds and endangered species of birds and plants. The authorized project allows for deepening and expanding the size of the sediment basins of the Upper Bay; this, in turn, would provide restoration measures to the already degraded habitat and lessen the chances of more widespread degradation of that habitat in the future.

IMPORTANT INFORMATION:

The current cost estimate is \$39 million (to include construction, design and management), with the federal government providing 65% of the project cost and the non-federal partners sharing 35% of the project cost. The non-federal maintenance costs are estimated at \$31,035,000 every 21 years. A construction contract was awarded in September 2005 and physical construction began in April 2006.

FREQUENTLY ASKED QUESTIONS:1. Why is the project necessary?

Upper Newport Bay is one of the last remaining coastal wetlands in southern California, and continues to play a significant role in providing critical habitat for a variety of migratory waterfowl, shorebirds and endangered species of birds and plants. Bay sedimentation has significantly increased in the last several decades due to rapid urbanization of the watershed. As a result, open water areas are disappearing in the bay, tidal circulation has diminished and shoaling is occurring within the Federal and local navigation channels and slips. Upstream efforts to control sediment inputs to the Upper Newport Bay Ecological Reserve and within-Bay dredging projects have not been completely effective. A primary objective of this project is to effect management of sediments deposited within the bay, with the objective of reducing the frequency of dredging projects while also enhancing habitat values within the upper bay and slowing the detrimental impacts of sediment accumulation on the fish and wildlife habitats.

2. What are the benefits of the project?

The Upper Newport Bay restoration project will allow for a reduced frequency of maintenance dredging; improve or restore estuarine habitats; sustain a mix of open water, mudflat and marsh habitat; increase tidal circulation for water quality; reduce predator access to sensitive habitats; improve public use and recreational access; and improve

educational opportunities.

3. What do the project features entail?

Project features entails: (1) expanding and deepening the Unit I/III basin and the Unit II basin, with an access channel dredged between the two basins; (2) extending and deepening a grouted stone apron at the mouth of San Diego Creek and at the upper end of the Unit I/III basin; (3) dredging an access channel, located below the Unit II basin and to the Pacific Coast Highway Bridge; (4) relocate Skimmer Island (also known as the "kidney shaped" island) from the Unit I/III basin and reconstructing the new island in the Unit II basin adjacent to the western segment of the salt dike for least terns; (5) restoring habitat for least terns including the creation of side channels around the small least tern island adjacent to the Unit I/III basin (known as the "hotdog" island), and around New Island, Middle Island, and Shellmaker Island; (6) capping the small least tern island (i.e. the "hotdog" island) with clean sand to improve nesting habitat; (7) restoring wetlands along Northstar Beach, Shellmaker Island, and along the edge of the upper basin; (8) mudflats in the northeast corner of the uppermost segment would be maintained, and about 100 feet of mudflats would be retained around the shoreline perimeter of the deepened Unit II and Unit I/III basins and New Island; (9) segmenting the main dike above the Unit II basin to decrease potential terrestrial disturbances; and, (10) adding education kiosks along Back Bay Drive and near the Interpretive Center.

4. Who are the partners in implementing the restoration project?

The primary partners for project implementation include the U.S. Army Corps of Engineers, the County of Orange, the California Department of Fish & Game, and the California Coastal Conservancy. The City of Newport Beach is serving as a significant project stakeholder, along with the U.S. Fish & Wildlife Service and the National Marine Fisheries Service who have acted to facilitate restoration of the ecological reserve, and actively participated in the development of project features.

5. Who is the contractor and when will they start constructing?

The construction contractor is DD-M Crane and Rigging headquartered out of Alameda, California. DD-M was awarded a construction contract by the U.S. Army Corps of Engineers in September 2005 to construct several features of the project. DD-M started physical construction of the project in April 2006.

6. Is the contractor tasked to construct the entire project?

DD-M is currently under contract to only construct a portion of the project to include restoring channels around Shellmaker, Middle, New & Hot Dog Tern Islands, dredge a portion of sediments from Unit II & Unit I/III Sediment Basins, restore wetlands at 23rd Street, Shellmaker Island & Bullnose West, and reconstruct the top portion of Hot Dog Tern Island. All remaining features will be constructed as funds become available.

7. What are the hours of construction? How long will it last?

The dredge will be working 6 days a week, 24 hours a day. There will be no work on Sundays or legal holidays. The project will last approximately 2 years, possibly longer depending upon award of additional work.

8. Why is the disposal barge moored west of Harbor Island?

The disposal barge moorage area previously located immediately south of Harbor Island has been relocated to deeper water west of Harbor Island.

9. How long will the disposal barge be moored west of Harbor Island?

The contractor's two disposal barges will alternately use this new mooring area until the disposal barge moorage location can be relocated to the Upper Bay nearby the Unit II Basin. However, the Lower Bay moorage area will continue to be used, but less frequently, to accommodate the disposal barges as they await appropriate tide levels to transit upstream to the Upper Bay work area.

10. What precautions are taken to ensure water quality standards are being met?

There are four buoys with instrument clusters that measure turbidity of the water, specifically measuring for levels of dissolved oxygen, pH, salinity, temperature, conductivity, and light transmittance. These are monitored continuously throughout the day. Additionally, monthly grab samples are taken from the water column at each buoy location (4 grab samples per station) to determine the amount of total suspended solids. The contractor's water sampling protocol and program go beyond what is needed to conform with the requirements as set forth the U.S. Army Corps of Engineers. To date, all water quality impacts from construction activities have met the requirements established by the U.S. Army Corps of Engineers, which is consistent with the water quality standards established by the Regional Water Quality Control Board, Santa Ana Region.

11. Is the turbidity (muddy water) behind the disposal barge harmful?

The turbidity seen behind the barge is caused by the barge agitating bottom sediments as it passes by. The resuspended sediments producing the turbidity quickly settle back to the bottom, typically within 15 minutes, without causing harm.

12. Why isn't the Lower Bay dredged first? I don't understand the importance of dredging the Upper Bay?

Besides the goal of restoring the ecosystem for the purpose of enhancing habitat for endangered and threatened species, another project goal is to reestablish the sediment settling basins in the Upper Bay. These basins function as a trap for the material that eventually finds its way down the watershed and into the Lower Bay. Currently, these basins are at their capacity and are no longer functional. However, once they are dredged, their life will last approximately 20 years, and will result in reducing the sedimentation rate in the Lower Bay. Currently, the U.S. Army Corps of Engineers is working with the City of Newport Beach toward a solution to dredging the Lower Bay.

13. Will the Lower Bay be dredged?

Currently, discussions are underway to coordinate a Lower Bay dredging project with the Upper Bay project. However, several hurdles must be overcome before a Lower Bay Project may commence. The City and the Corps understand the depth issues in the Lower Bay and they are working on solutions to realize this important goal.

14. Has the LA-3 Ocean Dredged Material Disposal Site been permanently designated?

Yes, in accordance with Federal Register, Vol. 70, No. 175, dated September 12, 2005, the U.S. Environmental Protection Agency designated LA-3 as a permanent ocean dredged material disposal site (ODMDS). The LA-3 ODMDS will be managed at a maximum annual dredged material disposal quantity of 2,500,000 yd³ (1,911,000 m³) for the ocean disposal of dredged material originating from the Los Angeles and Orange County region. The circular boundary of the permanently designated LA-3 site is centered at 33°31'00" N and 117°53'30" W and has a 305-meter (1,000-foot) radius at the water surface. The ocean depth at the center of the site is approximately 1600-feet (490-meters).

15. What is the round trip time for the disposal barges between the Upper Bay and LA-3 Ocean Disposal Site?

Approximately 3 hours.

16. What are the yellow buoys marking?

The yellow buoys, along with white buoys with lights and orange buoys, mark the dredge pipeline. In addition, the yellow buoys mark the channel and mark water quality sampling stations.

17. What is being done to protect the wildlife and plants during construction of the project?

The construction contractor has employed monitors to be present during construction activities monitoring activities along the channel perimeter of marsh habitat. The monitors are looking for impacts on nearshore nests (particularly for the light-footed clapper rail) from dredging and supporting activities. If disturbance of the nests during the breeding season is caused by construction activities, then operations will be altered to avoid disturbance of the nests. In addition, construction related activities will be restricted near the California least tern nesting island during the California least tern nesting season. Construction plans were prepared to avoid known areas of salt marsh bird's beak. Surveys were conducted prior to the start of construction, in consultation with the California Department of Fish & Game, to mark plant locations for avoidance purposes. Channel dredging will stay clear of mapped eelgrass beds. All employees of the contractor have been trained in the particulars of environmental protection and pollution control. Water quality monitoring will be conducted on a continuous basis to ensure that turbidity resulting from construction activities remains localized and small in magnitude. Each step of project construction will be overseen by representatives of the California Coastal Conservancy, the U.S. Fish and Wildlife Service, the California Department of Fish and Game, and the National Marine Fisheries Service to ensure that plants and animals are protected as much as possible and to limit impacts during construction.

18. Will there be areas restricted for boating activities during project construction? There are signs posted prohibiting boaters, canoeists and kayakers from proceeding beyond the disposal barge within the Upper Bay (Back Bay). Why is this prohibition in place and will there be opportunities in the future for watercraft to visit areas in the Upper Bay upstream of dredge operations?

For safety reasons, water craft in the Upper Bay (Back Bay) need to remain downstream of the disposal barge. The submerged pipeline leading from the dredge platform to disposal barge can at times unexpectedly surface, potentially causing harm to water craft floating above the pipeline. Prohibiting boaters, canoeists and kayakers from transiting upstream of the disposal barge will eliminate this hazard to water craft. However, restricted boating access to the Upper Bay (Back Bay) is permitted during times the dredge contractor is not scheduled to work, normally on Sundays and holidays. These restrictions generally include: 1) boating is limited to non-motorized water craft and a 5 MPH speed limit; 2) boating is permitted in the main channel up to the Salt Dikey (Top of Unit II Basin); and, 3) boating is not permitted in side channels, or anywhere from the Salt Dikey to Jamboree Road. Additionally, guided group tours of the Upper Bay (Back Bay) are allowed upstream of the disposal barge during operating hours for the dredge, only if the tour group has obtained a permit from the California Department of Fish & Game for transit, and adheres to the protocol of notifying the dredge platform on Channel 82 upon approach to the dredge and/or disposal barge.

19. Will Back Bay Drive be closed due to this work?

No, however, the City of Newport Beach may independently and occasionally perform maintenance work on Back Bay Drive.

20. Is the restoration work related to the science lab construction on Shellmaker Island?

No, the Back Bay Science Center is a collaboration between the City of Newport Beach, California Department of Fish and Game, and the County of Orange. The Science Center is separately funded and permitted.

21. Who can I speak to get more information on the project, or should I have concerns about the project?

Please contact the following individuals for additional information, or if you desire to raise concerns about construction activities:

U.S. Army Corps of Engineers, Los Angeles District
Mr. Greg Fuderer, Public Affairs Officer
(213) 452-3923 or gregory.a.fuderer@usace.army.mil, or

County of Orange, Resources & Development Management Department
Ms. Angela Burrell, Public Information Officer
(714) 834-5373 or angela.burrell@rdmd.ocgov.com

City of Newport Beach, Harbor Resources Division
Mr. Tom Rossmiller, Harbor Resources Manager
(949) 644-3041 or trossmiller@city.newport-beach.ca.us

22. Are there other venues available to gain information on the project?

Both the U.S. Army Corps of Engineers (USACE) and the City of Newport Beach (Newport) have established web sites to provide updated information on the restoration project. These sites can be accessed by going to the following web addresses:

USACE: www.spl.usace.army.mil/uppernewport.htm
Newport: www.city.newport-beach.ca.us/UpperBayProject.html

STAKEHOLDERS: Southern California residents and visitors to the Newport Bay area; various federal, state and local governmental agencies; boaters, birders and all others who treasure a vibrant ecological habitat; U.S. Rep. John Campbell (R-48th District), U.S. Rep. Ed Royce (R-40th District) and U.S. Sen. Dianne Feinstein.

CONTACTS

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